

DR. ALEXANDER V. PAPANICOLAU AND HIS WIFE, EMILIA

JANUARY 29, 1951.—Ordered to be printed

Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

REPORT

(To accompany S. 276)

The Committee on the Judiciary, to which was referred the bill (S. 276) for the relief of Dr. Alexander V. Papanicolau and his wife, Emilia, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The bill grants the status of permanent residence to a medical doctor and his wife, who were temporarily admitted into the United States on January 1, 1947. The bill requires the payment of the head taxes and visa fees and provides for the usual quota deductions.

STATEMENT OF FACTS

The beneficiaries of the bill are husband and wife, 46 and 48 years of age respectively. He is a native and citizen of Greece and his wife a native of Austria and a citizen of Greece. They last entered the United States as visitors on January 1, 1947. The male beneficiary of the bill is a doctor of medicine and is an ear, nose, and throat specialist.

A letter dated October 25, 1950, to the chairman of the Senate Committee on the Judiciary from the Deputy Attorney General with reference to S. 3688, which was a bill introduced in the Eighty-first Congress for the relief of the same aliens, reads as follows:

OCTOBER 25, 1950.

HON. PAT McCARRAN,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

MY DEAR SENATOR: This is in response to your request for the views of the Department of Justice relative to the bill (S. 3688) for the relief of Dr. Alexander V. Papanicolaou, and his wife, Emilia, aliens.

The bill would provide that Dr. Alexander V. Papanicolaou and his wife, Emilia, shall be considered to have been lawfully admitted into the United States for permanent residence as of the date or dates of their last entries, upon payment of the required head taxes and visa fees. The bill would also direct the Secretary of State to instruct the quota-control officer to deduct appropriate numbers from the nonpreference category of appropriate immigration quota or quotas.

The filed of the Immigration and Naturalization Service of this Department disclose that the aliens are husband and wife and were born on February 29, 1904, in Agridio, Gortynia, Greece, and on December 5, 1902, in Brunn, Austria, respectively. The husband is a native and citizen of Greece and a doctor of medicine by occupation, while his wife is a citizen of Greece by marriage. Both aliens last entered the United States at the port of New York, on January 1, 1947, and were admitted for a temporary period of 6 months under section 3 (2) of the Immigration Act of 1924. On January 14, 1948, their applications for extension of stay were denied, it appearing that they would remain indefinitely in this country if permitted to do so. However, they were subsequently granted several extensions of time within which to depart, the last being until October 15, 1948. On March 31, 1950, the aliens' applications for adjustment of their immigration status under section 4 of the Displaced Persons Act of 1948, were denied on the ground that they are not unable to return to Greece because of persecution, or fear of persecution, on account of their race, religion, or political opinions. On June 5, 1950, a warrant for the aliens' arrest in deportation proceedings was issued, charging them with being in the United States in violation of the Immigration Act of 1924, in that, after admission as visitors they remained in this country for a longer time than permitted.

According to testimony of Dr. Papanicolaou contained in the record, he is residing at 4018 North Austin Avenue, Chicago, Ill., and finished 1 year of internship at Walther Memorial Hospital in Chicago on April 18, 1950. It appears that while serving such internship, he received \$100 per month. He claims that he has real estate in Greece, his share of which amounts to approximately \$5,000 and that his assets in the United States consist of about \$500 in cash. The record indicates that the alien and his wife are being supported by the funds he received while working at Walther Memorial Hospital, and from money which they receive from relatives in this country.

The quotas for Greece and Austria, to which the aliens are chargeable, are oversubscribed and immigration visas are not readily obtainable. The record presents no facts, however, which would justify granting them a preference over the many aliens abroad who are waiting their turn for quota numbers. To enact this bill would encourage other aliens to enter the United States as visitors, and then attempt to adjust their status to that of permanent residence, thereby obtaining an unjust preference over the aliens abroad who are awaiting their turn for immigration visas.

Accordingly, this Department is unable to recommend enactment of the measure.

Yours sincerely,

PEYTON FORD,
Deputy Attorney General.

Senator Paul H. Douglas, the sponsor of the bill, has submitted additional information to the committee with reference to the case, among which are the following:

Dr. Alexander Papanicolaou entered the United States as an ear-nose-throat specialist with his wife, his only assistant in his private clinic in Athens, Greece, with the intention of becoming acquainted with the latest developments in his medical field. In the meantime, conditions arising as a consequence of World War II and the political unrest in Greece resulted in the loss of his home, private clinic, all his medical equipment, and real and personal properties. He is therefore deprived of the means of continuing his work in Greece and of gaining a living. He is fearful, furthermore, that his and his wife's lives, because of his profession

and their known anti-Communist political opinions, are endangered by underground Communist persecution.

As a result of these circumstances, he hesitated returning to his native country and attempted to continue his profession as an instructor. Accordingly he accepted a position at Rumford Community Hospital, Rumford, Maine, as an educational director at their school of nursing. He was obliged, however, to relinquish this position as an unpaid employee because he was refused extension of his visa at the time.

Since one must have a license from a State medical board to practice his profession in this country, he served his internship as a first step in obtaining this license. He cannot proceed further in this direction, however, since the law requires that doctors applying for a license must have their first citizenship papers, which he cannot obtain without a change of status. And since he is also unable to become a resident in a hospital without a license, he continues his studies in the hope that his status will be changed, thus enabling him to take the license examinations in October.

Because he lacks a license he has declined numerous offers to accept various positions and is now supported financially by his brothers, Andrew, with whom he is living, and George, a resident of Escondido, Calif. (A copy of the latter's affidavit, making himself responsible for the care and living of Dr. and Mrs. Papanicolaou, was included with their records at the United States consulate in Athens, Greece.)

In the enclosed statement, he certifies that he neither has nor is engaged in any activities whatsoever, and also submits a certificate, that he has never been convicted of any offense.

RUMFORD COMMUNITY HOSPITAL,
Rumford, Maine, November 30, 1948.

To Whom It May Concern:

Dr. Alexander Papanicolaou came to this hospital on September 12, 1948, and as we had no educational director for our school of nursing at that time, we asked him to accept this position.

He stated that until such time as he had permission from the immigration authorities to do so, it would be impossible for him to accept this position as a paid employee.

As we needed an educational director for our school and as it was impossible to obtain housing facilities, we asked him to stay until such time as he could obtain permission to remain longer in this country.

In view of the fact that he has been refused permission to remain in this country we would like to add that his leaving will be a loss to us and that should any change be made with regard to his status in the United States, it would be our earnest desire to have him again undertake the duties which he now has to relinquish.

We are glad to vouch for his personal integrity and professional efficiency.

RUMFORD COMMUNITY HOSPITAL,
HENEL GOODWIN, R. N., *Superintendent*,
ALBERT P. ROYAL, M. D., *Staff President*.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 276) should be enacted.

